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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

COMMISSIONERS

DOCKETED

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JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MIKE GLEASON
KRISTIN K. MAYES
BARRY WONG

DOCKETED BY

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AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
PICACHO WATER COMPANY FOR AN
EXTENSION OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. W-03528A-06-0313

IN THE MATTER OF THE APPLICATION OF
PICACHO SEWER COMPANY FOR APPROVAL
TO EXTEND ITS SEWER CERTIFICATE OF
CONVENIENCE AND NECESSITY TO
ADDITIONAL PORTIONS OF ROBSON RANCH
AND EJ RANCH IN PINAL COUNTY.

DOCKET NO. SW-03709A-06-0314

PROCEDURAL ORDER

BY THE COMMISSION:

On May 4, 2006, Picacho Water Company ("PWC") filed with the Arizona Corporation Commission ("Commission") an application for an extension of its Certificate of Convenience and Necessity ("Certificate" or "CC&N") in the City of Eloy. On the same date, Picacho Sewer Company ("PSC") filed an application for extension of its Certificate to additional portions of Robson Ranch and EJ R Ranch in Pinal County.

On July 13, 2006, the Commission's Utilities Division ("Staff") filed a Sufficiency Letter for PWC indicating that the Applicant's application had met the sufficiency requirements.

On July 20, 2006, Staff filed a Sufficiency Letter for PSC indicating that Applicant's application had met the sufficient requirements.

On July 18, 2006, by Procedural Order, a hearing was scheduled for September 14, 2006, for PWC.

On July 26, 2006, by Procedural Order, a hearing was scheduled for October 6, 2006, for PSC.

On August 2, 2006, Staff filed a Motion to Consolidate the above-referenced matters indicating that the issues are substantially related and no parties' rights will be prejudiced by the

1 consolidation.

2 Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern
3 the preparation and conduct of this proceeding.

4 IT IS THEREFORE ORDERED that Staff's Motion to Consolidate is hereby granted.

5 IT IS FURTHER ORDERED that the **hearing** on the consolidated matters shall be held on
6 **October 6, 2006, at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices,
7 1200 West Washington Street, Phoenix, Arizona 85007.

8 IT IS FURTHER ORDERED that **intervention** shall be in accordance with A.A.C. R14-3-
9 105, except that all Motions to Intervene must be filed on or before **September 15, 2006**.

10 IT IS FURTHER ORDERED that **objections to any Motions to Intervene** must be filed no
11 later than **September 22, 2006**.

12 IT IS FURTHER ORDERED that PWC and PSC shall provide public notices of the hearing
13 in this matter, in the following form and style, with the heading no less than 10 point bold type and
14 the body no less than 10 point regular type:

15 **PUBLIC NOTICE OF THE HEARING FOR THE APPLICATION OF PICACHO WATER**
16 **COMPANY FOR AN EXTENSION OF ITS CERTIFICATE OF CONVENIENCE AND**
17 **NECESSITY AND FOR THE APPLICATION OF PICACHO SEWER COMPANY FOR**
18 **APPROVAL TO EXTEND ITS SEWER CERTIFICATE**
19 **OF CONVENIENCE AND NECESSITY TO ADDITIONAL PORTIONS OF**
20 **ROBSON RANCH AND EJR RANCH IN PINAL COUNTY.**

21 **Docket No. W-03528A-06-0313 and SW-03709A-06-0314**

22 On May 4, 2006, Picacho Water Company ("PWC") filed with the Arizona
23 Corporation Commission ("Commission") an application for an extension of its
24 Certificate of Convenience and Necessity ("Certificate"). Also on May 4, 2006,
25 Picacho Sewer Company ("PSC") filed an application with the Commission for an
26 extension of its Certificate to include additional portions of Robson Ranch and EJR
27 Ranch in Pinal County. If the applications are granted, the Applicants would be the
28 exclusive providers of water and wastewater service to the proposed extension areas
and would be required by the Commission to provide service under rates and charges
and terms and conditions established by the Commission. The applications, report of
the Commission's Utilities Division Staff, and any written exceptions to the Staff
Report prepared by the applicant will be available for inspection during regular
business hours at the offices of the Commission located at 1200 West Washington
Street, Phoenix, Arizona 85007, and at offices of the Applicant, [address] and on the
internet via the Commission website (www.azcc.gov) using the e-docket function.

The Commission will hold a public hearing on these matters on **October 6, 2006 at 10:00 a.m.** at the Commission's offices, at 1200 West Washington Street, Phoenix, Arizona. Public comment will be taken on the first day of the hearing.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene in the proceedings and participate as a party. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written motion to intervene with the Commission and send such motion to the Applicant or its counsel and to all parties of record, and which at the minimum, shall contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different than the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g. a customer of the Applicant, a shareholder of the Company, a competitor, etc.).
3. A statement certifying that a copy of the motion to intervene has been mailed to the Applicant or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all Motions to Intervene must be filed on or before September 15, 2006. The granting of intervention, among other things, entitles a party to present sworn evidence at the hearing and to cross-examine other witnesses. Failure to intervene will not preclude any interested person or entity from appearing at the hearing and making a statement on their own behalf. You will not, however, receive any further notice of the proceeding unless requested by you. Please check with the Commission for any changes to the scheduled hearing date.

If you have any comments, mail them to:

The Arizona Corporation Commission
Attention Docket Control
re: Picacho Water Company and Picacho Sewer Company
W-03528A-06-0313 and SW-03709A-06-0314
1200 West Washington Street
Phoenix, Arizona 85007

If you have any questions about these applications, you may contact the application at **[insert telephone number]**. If you wish to file written comments on the applications or want further information on intervention, you may contact the Consumer Services Section of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as sign language interpreter, as well as request this document in an alternative format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602-542-3931, E-mail lghogan@azcc.gov. Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that Applicants shall **mail to each property owner or property owner representative** in the requested extension area a copy of the above notice and shall cause the above notice to be published in a newspaper of general circulation in its service territory,

1 with publication and mailing to be completed no later than **September 1, 2006.**

2 IT IS FURTHER ORDERED that Applicants shall **file certification of mailing and**
3 **publication** as soon as practicable after the mailing/publication has been completed, but not later
4 than **September 15, 2006.**

5 IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing and
6 publication of same, notwithstanding the failure of an individual property owner to read or receive
7 the notice.

8 IT IS FURTHER ORDERED that Staff shall file a **Staff Report on or before September 1,**
9 **2006.**

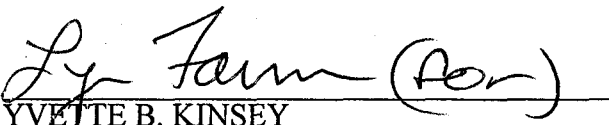
10 IT IS FURTHER ORDERED that any **objections to the Staff Report shall be filed on or**
11 **before September 11, 2006.**

12 IT IS FURTHER ORDERED that all other hearing dates and procedural deadlines set
13 forth in the Procedural Order issued July 18, 2006 in Docket No. W-03528A-06-0313 are
14 vacated.

15 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 – Unauthorized
16 Communications) applies to this proceeding as the matter is now set for public hearing.

17 IT IS FURTHER ORDERED that the presiding Administrative Law Judge may rescind, alter,
18 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by
19 ruling at hearing.

20 Dated this 17 day of August, 2006

21
22
23 
24 YVETTE B. KINSEY
ADMINISTRATIVE LAW JUDGE

25 Copies of the foregoing mailed/delivered
this 17 day of August, 2006 to:

26 Jim Poulos
27 9532 E. Riggs Road
Sun Lakes, AZ 85248


28 ...

1 Christopher Kempley, Chief Counsel
2 Legal Division
3 ARIZONA CORPORATION COMMISSION
4 1200 West Washington Street
5 Phoenix, AZ 85007

6 Ernest G. Johnson, Director
7 Utilities Division
8 ARIZONA CORPORATION COMMISSION
9 1200 West Washington
10 Phoenix, AZ 85007

11 ARIZONA REPORTING SERVICE, INC.
12 2627 N. Third Street, Ste. Three
13 Phoenix, Arizona 85004-1126

14 By:

15 
16 Molly Johnson
17 Secretary to Yvette B. Kinsey